

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED
SEP 12 2005
for c.ville
JOHN F. CORCORAN, CLERK
BY: J. Garabito
DEPUTY CLERK

MARY TILMAN,

RODNEY W. TILMAN,

TAMMIE L. TILMAN,

Plaintiffs,

v.

CREDITORS INTERCHANGE, LLC,

CREDITORS INTERCHANGE RECEIVABLE
MANAGEMENT, LLC,

Defendant.

CIVIL ACTION No. 3:05CV00008

ORDER

JUDGE NORMAN K. MOON

Before the Court is the Defendant's May 9, 2005 motion in which it moves the Court to dismiss Counts V (defamation) and VI (intentional infliction of emotional distress) of the Plaintiffs' complaint, or, in the alternative, for a more definite statement as to those counts and the overall complaint. The Defendant also moves the Court to strike the statutory damages sought by the Plaintiffs in Counts I through IV. For the reasons stated in the accompanying memorandum opinion, it is hereby

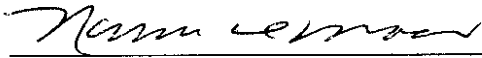
ADJUDGED ORDERED AND DECREED

as follows:

1. The Defendant's motion to dismiss for failure to state a claim shall be, and it hereby is, GRANTED IN PART AND DENIED IN PART;

2. The Defendant's motion to dismiss for failure to state a claim shall be, and it hereby is, GRANTED with respect to the claim for intentional infliction of emotional distress, but DENIED with respect to the claim for defamation;
3. The Defendant's motion for a more definite statement shall be, and it hereby is, DENIED;
4. The Defendant's motion to strike shall be, and it hereby is, DENIED as moot.

The Clerk of the Court hereby is directed to send a certified copy of this Memorandum Opinion to all counsel of record.

ENTERED: 
United States District Judge
Sept. 12, 2005
Date